

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ARTHUR ARNOLD,)	
)	
Plaintiff,)	
)	
V.)	Civil No. 08-234-DRH
)	
MILLER, et al.,)	
)	
Defendants.)	

ORDER

PROUD, Magistrate Judge:

A review of the record reveals that defendants PenSafe and Haun Drop Forge Company have filed “objections” (**Doc. 79**) to co-defendant Elk River’s September 30, 2008, request for admissions (**Doc. 78**). PenSafe and Haun Drop Forge Company object that the request for admissions was filed on the last day of the prescribed discovery period, making their responses due one month after the close of discovery. The Court construes the “objections” as a motion to strike.

The Court need not await a response from Elk River, in that the Court’s order dated June 26, 2008, clearly states that *limited* discovery relative to the pending motion to dismiss for lack of personal jurisdiction would be permitted “through **September 30, 2008.**” (**Doc. 53 (emphasis in the original)**). The Court further stated that no extensions would be granted, and that Elk River’s response to the motion to dismiss was to be filed by October 15, 2008. (**Doc. 53**). Elk River failed to allow sufficient time for its discovery to be completed by the close of the discovery period. Moreover, it is obvious that admissions due *after* Elk River’s response to the motion to dismiss is due are meaningless to the motion to dismiss.

IT IS THEREFORE ORDERED that defendants PenSafe, Inc., and Haun Drop Forge Company's "objections"/motion to strike Elk River's September 30, 2008, request for admissions (**Doc. 79**) is **GRANTED**, in that the Clerk of Court shall have the record reflect that Elk River's September 30, 2008, request for admissions (**Doc. 78**) is **STRICKEN**.

IT IS SO ORDERED.

DATED: October 10, 2008

s/ Clifford J. Proud
CLIFFORD J. PROUD
U. S. MAGISTRATE JUDGE